

MINUTES

ALCOHOL AND TOBACCO COMMISSION

MARCH 20, 2007

CALL TO ORDER/NOTING OF QUORUM

Chairman Heath called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Johnson, Commissioner Sturtz and Commissioner Guthrie. Also in attendance were Executive Secretary Choe and Superintendent Huskey.

Lisa Goldner of Bose McKinney and Evans, Jeff McKean, Debbie Scott of IABR, Mark Webb of ILBA, Bar Herriman and Steve Anderson were present as observers.

DISPOSITION OF MINUTES

Commissioner Sturtz moved to approve the minutes that were submitted for the March 6, 2007 meeting. Motion seconded by Commissioner Guthrie and it was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

PAD FORMS – Vice Chairman Johnson moved to approve the parties agreed disposition forms that were submitted for the March 20, 2007 meeting. Motion seconded by Commissioner Sturtz and it was unanimously approved.

DL50-22558 TANNER RETAIL SERVICES, LLC – Hearing Judge Choe recommended the Commission reverse the local board's recommendation and approve this permit because the recommendation was not supported by substantial evidence.

Vice Chairman Johnson moved to uphold the Hearing Judge's recommendation and approve the new permit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

CONSIDERATION OF APPLICATIONS

I incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by said staff with the authority of the Commission, and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permit applications for a new permit or application for changes in location or ownership or both of existing permits, which have been recommended by local boards and reviewed by at least two Commissioners and hereby move for approval of same and inclusion of these lists as part of the minutes by exhibit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

I incorporate by reference these lists of permit applications for catering and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

I incorporate by reference these lists of permits to be placed in escrow for not more than one year, which have been reviewed and recommended by a Commissioner as appropriate for first or second year escrow and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

Three hundred seventy-four (374) renewals approved, ninety-nine (99) new and/or transfer permits approved, four (4) permits approved for catering, seven (7) permits approved for first year escrow, five (5) permits approved for second year escrow, one (1) permit approved for third year escrow, two (2) permits approved for fourth year escrow and two (2) permits approved for fifth year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

Vice Chairman Johnson moved to approve the renewal letters and the waiver of fees for letters of extension for the preceding weeks. Motion seconded by Commissioner Guthrie and it was unanimously approved.

APPLICATIONS FOR DISCUSSION

RR75-22946 TAWNYA PROPERTIES, LLC, d/b/a MIKEY'S PIZZA PIT STOP – Chairman Heath noted this is a new type 112 application with the local board voting four (4) to zero (0) to approve.

Commissioner Guthrie moved to uphold the local board's recommendation and approve the renewal. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

RR91-21431 GUADALAJARA GRILL, INC. – Chairman Heath noted this is a type 103 renewal application with the local board voting four (4) to zero (0) to disapprove.

Commissioner Guthrie stated the local board reason for denial was “does not meet the character of business test”, but gave no other explanation.

Commissioner Guthrie moved to table this matter until a more thorough investigation can be made regarding this renewal. Motion seconded by Commissioner Sturtz and it was unanimously approved.

RR64-19337 JOE A. RICCIARDI - Commissioner Guthrie stated this permit was made dead due to the fact that renewals and a transfer had not been filed; however, the paperwork was filed timely and not put with the file.

Commissioner Guthrie moved to reactivate this permit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

INACTIVE FILES

Vice Chairman Johnson moved to make twenty-six (26) permits inactive. Six (6) permits are subject to auction and twenty (20) permits are not subject to auction. Motion seconded by Commissioner Sturtz and it was unanimously approved.

OLD BUSINESS

No Old Business

NEW BUSINESS

RR45-01174 DARLENE HERRERA - Commissioner Guthrie stated this permit was made inactive due to a mix up on time limits and paperwork on the permittee's part.

Commissioner Guthrie moved to reactivate this permit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

RR49-03086 JMJ INVESTMENTS, INC. - Commissioner Guthrie stated this permit was made inactive on 11-21-06, due to a mix up on time limits and filings.

Commissioner Guthrie moved to reactivate this permit. Motion seconded by Commissioner Sturtz and it was unanimously approved.

POLICY DETERMINATIONS

No Policy Determinations

UNDER ADVISEMENT

Nothing Under Advisement

ANNOUNCEMENTS

No Announcements

ADJOURNMENT

Commissioner Sturtz moved to adjourn the meeting. Motion seconded by Commissioner Guthrie and it was unanimously approved.

Approved this _____ day of _____, 2007.

DAVE HEATH, CHAIRMAN

DAVID JOHNSON, VICE CHAIR

DALE STURTZ, COMMISSIONER

FRANK GUTHRIE, COMMISSIONER